

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**BILLY RAY TRATREE,
Plaintiff,**

vs.

**BP PIPELINES (NORTH
AMERICA), INC.,
Defendant.**

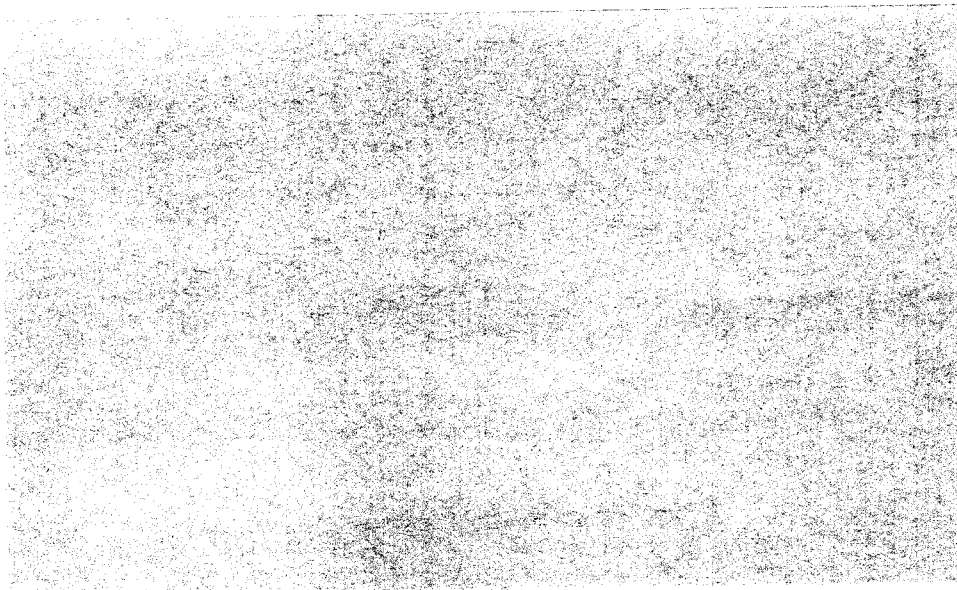
§
§
§
§
§
§
§
§

**NO. H-03-954
JURY**

VERDICT

We, the jury, return the foregoing as our unanimous verdict.

6-23-09
Date



I. **Tax instruction** Any award you make to Tratree is subject to income tax. Therefore, you should consider the effect of taxes upon any award you make to Tratree.

VERDICT FORM

1. Did BP eliminate Tratree's position because of his age?

Answer "Yes" or "No": NO

2. Did BP eliminate Tratree's position because of his race?

Answer "Yes" or "No": NO

If your answer to question number 2 is "yes," then answer the following question. Otherwise do not answer the following question.

2(a). Would BP have made the same decision to eliminate Tratree's position even if it had not considered Tratree's race?

Answer "Yes" or "No": _____

3. If your answer to question number 1 is "yes," then answer the following question. Otherwise do not answer the following question.

Do you find by a preponderance of the evidence that BP's age discrimination was willful as defined in these instructions?

Answer "Yes" or "No": _____

4. If your answer to question number 1 is "Yes," or if your answer to question number 2 is "Yes" and 2(a) is "No," then answer the following question. Otherwise do not answer the following question.

What amount of damages, if any, did Tratree sustain as a result of BP's decision to eliminate Tratree's position? Answer separately as to each category of damages.

Back pay and benefits \$ _____

Front pay and benefits \$ _____

5. If your answer to question number 2 is "Yes" and 2(a) is "No," then answer the following question. Otherwise do not answer the following question.

What amount of damages, if any, did Tratree sustain as a result of BP's decision to eliminate Tratree's position? Answer separately as to each category of damages.

Emotional damages sustained in the past: \$ _____

Emotional damages that will, in reasonable probability, be sustained in the future: \$ _____

6. If your answer to question number 2 is "Yes" and 2(a) is "No," then answer the following question. Otherwise do not answer the following question.

Do you find that punitive damages should be awarded to Tratree against BP?

Answer "Yes" or "No": _____

7. If your answer to question number 6 is "Yes," then answer the following question. If your answer to question number 6 is "No," do not answer the following question.

If yes, what amount?

Answer: \$ _____